

**Amendment No. 6 to HB3835**

**Fitzhugh**  
**Signature of Sponsor**

**AMEND Senate Bill No. 3768**

**House Bill No. 3835\***

By deleting all of the language following the bold underlined explanatory heading

**"LEGISLATIVE AMENDMENT"** and by substituting instead the following:

AND FURTHER AMEND by adding the following new sections:

**DEDICATED SOURCE & EARMARKS**

**SECTION 73.**

(a) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing Chapter 734 of the Public Acts of 2012, Chapter 739 of the Public Acts of 2012, Chapter 740 of the Public Acts of 2012, Senate Bill 2278 / House Bill 2682, Senate Bill 2401 / House Bill 2329, Senate Bill 2678 / House Bill 2803, Senate Bill 2684 / House Bill 2794, Senate Bill 2732 / House Bill 2793, Senate Bill 2733 / House Bill 2878, Senate Bill 2778 / House Bill 3570, House Joint Resolution 872, and Senate Joint Resolution 629, if such bills and resolutions become law.

(b) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of funding any general bill or resolution, that becomes law, designating an interstate, United States highway or state highway as a memorial highway or as a memorial bridge for certain individuals killed in the line of duty, pursuant to § 54-1-133 or § 54-5-1003, that is not otherwise funded in this act.

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(c) This item shall take effect upon becoming a law, the public welfare requiring it.

**LEGISLATIVE INITIATIVES**

SECTION 74. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (recurring) to the department of finance and administration for the sole purpose of contracting with a nonprofit organization for promotion of health awareness among Tennessee males. Such nonprofit organization must have been established prior to January 1, 2004; must have received a contract administered through the Tennessee department of health; must have received funding through the vitamin supplement settlement of June 2003, administered by the Tennessee attorney general's office; and must possess substantial experience with general health outreach and education activities for males in Tennessee, including activities for the general population and the underserved living in Tennessee.

Item 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,500,000 (non-recurring) to the Commission on Children and Youth for the sole purpose of continuation of the Children's Program Outcome Review Team (C-PORT) contract.

Item 3. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$15,000 (non-recurring) to the Department of Finance

and Administration for the sole purpose of making a grant in such amount to the Tennessee Intercollegiate State Legislature Foundation, for the sole purpose of programmatic and operational expenses of its 43rd General Assembly caused by the temporary closure of the Tennessee State Capitol.

Item 4. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$335,000 (non-recurring) to the Department of Environment and Conservation for the sole purpose of making a grant in such amount to the West Tennessee River Basin Authority, to be used for major maintenance.

Item 5. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Tennessee History for Kids, Inc., to be used for programs, services, and operational expenses.

Item 6. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$157,000 (non-recurring) to the Department of Tourist Development for the purposes of web site development, marketing, advertising and other support services for the Tennessee Sesquicentennial Commission.

Item 7. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$4,281,500 (non-recurring) to the Department of Intellectual and Developmental Disabilities for the sole purpose of the family support program.

Item 8. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,000,000 (recurring) to the Department of Education for the sole purpose of internet connectivity.

Item 9. In addition to any funds otherwise appropriated by this act, there is appropriated to the Department of Finance and Administration, Bureau of TennCare a sum sufficient, including any federal aid funds, to be expended for the purpose of fully

restoring for fiscal year 2012-2013 the rate reductions applicable to home health providers that were effective January 1, 2012.

Item 10. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,000,000 (non-recurring) to the department of finance and administration for the sole purpose of making a grant in such amount to Meharry Medical College, to be used in support of the Meharry HBCU Wellness Project.

Item 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Department of Mental Health for the sole purpose of peer support services.

Item 12. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Tennessee historical commission for the sole purpose of making a grant in such amount to the Stax Museum in Memphis, to be used for defrayal of operational costs.

Item 13. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 (non-recurring) to the department of health for the sole purpose of making a grant in such amount to St. Jude Hospital in Memphis, to defray, in whole or in part, the expenses of patients and their families who are citizens and residents of Tennessee in traveling to and from St. Jude Hospital. Such payments shall be administered by the hospital and shall be made on the basis of need. Such patients, or their families, requesting assistance from these funds shall supply such documents supporting need and travel expenses as the hospital may require.

Item 14. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the department of finance and administration for the sole purpose of making a grant in such amount to the National Civil Rights Museum, to be used for renovations, programs, services and operational expenses.

Item 15. In addition to any other funds appropriated by the provisions of this act to the University of Tennessee, there is appropriated the sum of \$180,000 (recurring) to the University of Tennessee at Martin to restore funds reduced in accordance with the provisions of Chapter 473 of the Public Acts of 2011.

Item 16. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$206,300 (non-recurring) to the Department of Health for the sole purpose of the epilepsy program.

Item 17. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$30,600 (non-recurring) to the Department of Health for the sole purpose of shaken baby syndrome services.

Item 18. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$180,000 (non-recurring) to the Department of Education for the sole purpose of grants-in-aid to science alliance museums.

Item 19. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$85,000 (non-recurring) to the Department of Agriculture for the sole purpose of water quality. One (1) full time position is authorized to be retained.

Item 20. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$801,100 (recurring) to Secretary of State for the sole purpose of restoring base funding for three regional library offices and authorizing no more than 14 positions for the regional library system.

Item 21. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,000,000 (non-recurring) to the Department of Health for the sole purpose of continuous enrollment of eligible individuals in the HIV Drug Assistance Program (HDAP). The appropriation in this item is contingent upon notice

from the Department of Health, STD/HIV/AIDS Services, that a waiting list for the HDAP program will be instituted within thirty (30) days.

Item 22. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the West Tennessee Seismic Safety Commission, to be used for training, travel, development of programming including public meetings, educational materials for schools and equipment pertaining to research and seismic related programs.

Item 23. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the department of education for the sole purpose of allocating such sum as grants in equal amounts to each Tennessee public television station, to be used for equipment, programs and operational expenses.

Item 24. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$450,000 (recurring) to the Tennessee board of regents for the sole purpose of development and implementation of articulation agreements between public institutions of higher education for the acceptance of credit for courses taken under dual enrollment, dual credit, Advanced Placement, International Baccalaureate and other similar programs.

Item 25. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Department of Health for the sole purpose of the vaccine billables project.

Item 26. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Department of Human Services for the sole purpose of making a grant in such amount to the Second Harvest Food Bank of Middle Tennessee, to be used for the purpose of purchasing, handling,

and transporting food for hunger relief. The Second Harvest Food Bank of Middle Tennessee shall distribute the funds to the five (5) food banks across the state, as follows:

35% to Second Harvest Food Bank of Middle Tennessee;

25% to Memphis Food Bank;

20% to Second Harvest Food Bank of East Tennessee;

10% to Chattanooga Area Food Bank;

10% to Second Harvest Food Bank of Northeast Tennessee.

Item 27. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Tennessee Board of Regents for the sole purpose of development of a comprehensive and collaborative gang and crime reduction strategies program at the University of Memphis / University of Memphis Lambuth Campus in Jackson. It is the legislative intent that such program will connect law enforcement and government agencies in small cities and rural communities throughout west Tennessee and equip them with the necessary tools and support needed for addressing gang and crime activity.

Item 28. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 (non-recurring) to the Department of Education for the sole purpose of making a grant in such amount to the Education Equal Opportunity Group, Inc. (EEOG), to be used to support student participation in EEOG programs for at-risk and under-served students.

Item 29. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$400,000 (non-recurring) to the Department of Finance and Administration for the purpose of making grants to the Cultural Museum Association of Tennessee for development and research of Underground Railroad sites in

Tennessee and coordinated activities with the Civil War Sesquicentennial Commission Celebration. Such grants to be awarded as follows:

Alex Haley Museum of Henning	\$ 50,000
Beck Cultural Exchange Center of Knoxville	\$ 100,000
Betsy Smith Cultural Center of Chattanooga	\$ 100,000
Bradley Academy Museum and Cultural Center of Murfreesboro	\$ 50,000
National Civil Rights Museum of Memphis	\$ 100,000

Item 30. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$15,000,000 (non-recurring) to the board of regents for the purpose of providing equipment for and expanding programs at the Tennessee technology centers.

Item 31. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$3,964,053 (non-recurring) to the board of regents for the purpose of providing equipment for and expanding programs at the community colleges.

Item 32. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to Department of Labor and Workforce Development for the sole purpose of providing free and reduced fee GED testing. It is the intent of the General Assembly that such funding be maximized to provide for educational opportunities to the greatest number of Tennessee citizens.

Item 33. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Tennessee CASA, to be used for programs and services.

Item 34. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the TennCare program for



the sole purpose of making grants to non-emergency transportation providers to offset the rising cost of fuel. It is the legislative intent that such funds be distributed to non-emergency transportation providers on the basis of the proportion of non-emergency miles provided by each such provider for the TennCare program during fiscal year 2011-2012.

Item 35. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$30,000,000 (recurring) to the Tennessee student assistance corporation (TSAC) for the sole purpose of supplementing Tennessee student assistance awards.

Item 36. In addition to any other funds appropriated by the provisions of this act, the sum of \$80,000,000 is appropriated in lieu of issuing proposed bonds. The State Funding Board shall take the necessary action to cancel unissued bonds.

Item 37. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$13,140,700 (recurring) to the department of education for the sole purpose of supplementing K-12 capital outlay. In addition, it is the legislative intent that the appropriation of \$10,391,200 otherwise made to the department of education in Section 1 for K-12 capital outlay be recurring.

Item 38. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$16,059,400 (recurring) to the University of Tennessee System and the Tennessee Board of Regents for the sole purpose of restoring base appropriations for higher education academic units. It is the intent of the General Assembly that such appropriation be utilized to reduce tuition increases in such systems.

Item 39. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$5,000,000 (non-recurring) to the Department of Education for the sole purpose of the career ladder program, extended contracts.

Item 40. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$5,000,000 (recurring) to the district public defenders conference for the sole purpose of making a grant in the amount of \$2,000,000 (recurring) to the 20th Judicial District and a grant in the amount of \$3,000,000 (recurring) to the 30th Judicial District, to be used for operational expenses.

Item 41. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Tennessee Historical Commission for the sole purpose of research and publication of 1,200 hardbound copies of the next volume of the *Biographical Directory of the Tennessee General Assembly*.

### **LANGUAGE AMENDMENTS**

SECTION 75. From the funds appropriated by this act, the department of finance and administration is directed to study the increasing prices of gasoline compared to the applicable rate of mileage reimbursement paid to state employees, excluding members of the general assembly, for using personally owned or leased vehicles in the course of official state business. The department shall propose recommendations arising from the study, including recommendations for increasing the rate of reimbursement when the average price of regular gas in this state exceeds four dollars (\$4.00) per gallon or a higher amount, as certified by the American Automobile Association's ("AAA") Daily Fuel Gauge Report. Such recommendations shall be reported to the chairs of the finance, ways and means committees of the senate and the house of representatives no later than December 1, 2012.

SECTION 76. The provisions of this section take effect upon becoming law, the public welfare requiring it. From the appropriations made in this act, there is hereby appropriated a sum sufficient for implementation of any legislation cited, or otherwise described by category, in this act that has an effective date prior to July 1, 2012.

**HIGHER EDUCATION LOTTERY SCHOLARSHIPS**

AND FURTHER AMEND by adding the following language as new items to Section 52:

Item 6. From the Lottery for Education Account, there is appropriated a sum sufficient for the sole purpose of implementing any bill relative to the lottery scholarship program that becomes law and is not otherwise funded in this act.

AND FURTHER AMEND by requesting the Engrossing Clerk to:

- (1) Insert between Sections 64 and 65 of the printed bill any new sections added to the bill so that Sections 65 through 69 of the printed bill will be the renumbered final sections of the engrossed bill;
- (2) Delete the bold underlined explanatory headings in this amendment; and
- (3) Exclude this paragraph from the engrossed bill.